

Message Text

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ACTION IO-14

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SUBJ: SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES--AUGUST 26-29--AGENDA ITEM 9: IMPLEMENTATION OF UN RESOLUTIONS RELATING TO THE RIGHT OF PEOPLES UNDER COLONIAL AND ALIEN DOMINATION TO SELF-DETERMINATION.

1. SPECIAL RAPPORTEUR HECTOR GROS ESPIELL WHO HAD STRUCTURED HIS REPORT INTO FIVE CHAPTERS PRESENTED ONLY THE CONCLUSIONS AND RECOMMENDATIONS DURING P.M. MEETING AUGUST 26 AND A.M. MEETING AUGUST 29. THE SPECIAL RAPPORTEUR CONCLUDED THAT SELF-DETERMINATION IS INDIVIDUAL RIGHT AND PRIOR CONDITION TO OTHER RIGHTS OF PEOPLE. EVEN INDIVIDUALS UNDER DOMINATION HAVE THE RIGHT TO SELF-DETERMINATION UNDER INTERNATIONAL LAW. IT WAS GROS ESPIELL'S RECOMMENDATION THAT UN ORGANS, IN A COORDINATED EFFORT, PROVIDE IMPETUS FOR DECOLONIZATION. THE UN, HE SAID, MUST ALSO REAFFIRM ITS COMMITMENT TO SELF-DETERMINATION AND FIND MEANS FOR THOSE UNDER DOMINATION TO GAIN THIS RIGHT.

2. DURING DEBATE ON ITEM, REFERENCES WERE MADE TO SPECIFIC SITUATIONS WHERE THE UN HAD ADOPTED BUT NOT IMPLEMENTED

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RESOLUTIONS REGARDING SELF DETERMINATION. YUSSEF (IRAQ) NOTED PALESTINIANS WERE UNABLE TO GET RIGHTS BECAUSE OF ZIONISTS AND THE U.S. VETO IN THE SECURITY COUNCIL. THE POWER OF STRENGTH EXERTED (BY THE U.S.) HAS LED PALESTINIANS TO RESORT TO ARMED STRUGGLE TO ACHIEVE SELF DETERMINATION.

3. MARTINEZ BAEZ (MEXICO) RAISED ISSUE OF BELIZE WHICH HE

STATED ENVELOPED PROBLEMS THAT COULD CAUSE CONFLICTS OF INTERNATIONAL PROPORTIONS. THE GUATEMALAN OBSERVER, AMBASSADOR SANTISO-GALVEZ, SUPPORTED THE MARTINEZ BAEZ VIEW AND GAVE A BRIEF HISTORY OF HOW BRITISH ACQUIRED THE TERRITORY. HE CONCLUDED BY ASKING UK TO WITHDRAW TROOPS AND NEGOTIATE WITH GOG. WHITAKER IN REPLY, PREFACED HIS COMMENTS BY NOTING HIS INDEPENDENT STATUS AS AN EXPERT, BUT TO SET RECORD STRAIGHT FELT HE SHOULD MAKE IT CLEAR THAT THE INHABITANTS OF BELIZE DID NOT WISH TO BECOME CITIZENS OF GUATEMALA. HE SAID THE BRITISH WILL GRANT INDEPENDENCE TO THE TERRITORY AND LEAVE WHEN ASKED BY BELIZE CITIZENS.

4. J.R. MONTGOMERY OF THE ANTI-SLAVERY SOCIETY SAID THE PEOPLE OF THE WESTERN SAHARA AND EAST TIMOR HAD BEEN DENIED SELF DETERMINATION BY GOVERNMENTS. HE EXPRESSED VIEW THAT U.N. CANNOT ENFORCE RESOLUTIONS IF STATES STAND AGAINST THEM.

5. OULD SIDI (MAURITANIA) DEFENDING HIS COUNTRY'S POSITION, CITED CULTURAL TIES WHICH LINK MAURITANIA AND THE PEOPLE OF WESTERN SAHARA. HE FURTHER STATED THAT BOTH MAURITANIA AND MOROCCO HAD FOLLOWED RECOMMENDATIONS OF THE UN IN SETTLING THE DISPUTE.

6. PLO OBSERVER IN FIRST INTERVENTION OF SESSION SAID GROS ESPIELL'S STUDY WAS OF GREAT INTEREST TO HIS ORGANIZATION BECAUSE THE PALESTINIANS HAD BEEN DEPRIVED OF SELF DETERMINED LIMITED OFFICIAL USE

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NATION IN 1948. HE MAINTAINED THAT BY ESTABLISHING ISRAEL THE UN HAD VIOLATED THE UN CHARTER. THE PALESTINIANS, HE STATED REFUSE TO BE ASSIMILATED BY ANY OTHER PEOPLE AND NOTED THAT DENIAL OF THE RIGHT OF PEOPLE TO SELF DETERMINATION NECESSARILY LEADS AND GIVES LEGITIMACY TO ARMED STRUGGLE. HE CONCLUDED BY EXPRESSING VIEW THAT THE S-C MUST FIND WAYS OF APPLYING INTERNATIONAL LAW AND UN RESOLUTIONS IN ORDER THAT PALESTINIANS AND OTHERS ARE GRANTED SELF-DETERMINATION.

7. IN HIS RESPONSE TO COMMENTS, GROS ESPIELL SAID HE WOULD, WHERE SUITABLE AND POSSIBLE, INCLUDE THE ADDITIONAL DATA SUGGESTED BY S-C EXPERTS. IN RESPONSE TO SEVERAL INTERVENTIONS HE SAID HE HAD NOT INCLUDED SOLUTIONS IN HIS STUDY BECAUSE SOLUTIONS WERE NOT INCLUDED IN HIS MANDATE. GROS ESPIELL WILL PRESENT RECOMMENDATIONS OF HIS STUDY TO THE HRC IN FEBRUARY 1978. VANDEN HEUVEL

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